

Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
ICA-11 /071 W
-----016775 220609Z /10

R 220504Z JUN 78
FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC 9708
INFO AMEMBASSY BANGKOK
AMEMBASSY KUALA LUMPUR
AMEMBASSY MANILA
AMCONSUL MEDAN
AMEMBASSY SINGAPORE
AMCONSUL SURABAYA
CINCPAC

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CINCPAC ALSO FOR POLAD

E.O. 11652: N/A
TAGS: PINT, SHUM, ID
SUBJECT: SUHARTO SUPPORTS JUDICIARY INDEPENDENCE

1. ADDRESSING THE OPENING SESSION OF THE SEVENTH ASIAN JUDICIAL CONFERENCE JUNE 20 IN JAKARTA, WHICH WAS ATTENDED BY 17 ASIAN CHIEF JUSTICES, PRESIDENT SUHARTO PROCLAIMED HIS FULL SUPPORT FOR THE INDEPENDENCE OF THE JUDICIARY FROM THE EXECUTIVE BRANCH OF GOVERNMENT. HE WARNED, HOWEVER, THAT SUCH INDEPENDENCE IN INDONESIA MUST BE RESPONSIBLE, AND MUST NOT BE ABUSED TO VIOLATE ANY ESTABLISHED LAWS OR COMMIT ANY UNWARRANTED ACTS. SUHARTO NOTED THE OBLIGATION OF THE JUDICIARY TO PROTECT THE RIGHTS OF INDIVIDUALS, INCLUDING THE RIGHT TO SPEEDY AND IMPARTIAL JUSTICE. THE PRESIDENT SAID HIS GOVERNMENT HOPED TO BE ABLE TO SAFEGUARD AND PROTECT AN

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INDEPENDENT JUDICIARY POWER IN A STATE UNDER THE RULE OF LAW.

2. SUHARTO'S REMARKS WERE VIEWED BY SOME LOCAL OBSERVERS AS A RESPONSE TO CRITICISM FROM LAWYERS THAT SUPREME COURT JUSTICES ARE APPOINTED BY THE PRESIDENT AND THEREFORE ARE UNDER HIS CONTROL. THE INDONESIAN LAWYERS SSO-

CIATION, PERADI, HAS PROPOSED THAT JUSTICES BE APPOINTED
BY PARLIAMENT TO LESSEN THEIR DEPENDENCE ON THE EXECUTIVE
BRANCH.

3. COMMENT: THE PROPOSAL IS NOT LIKELY TO WIN GOVERNMENT
APPROVAL IN THE NEAR FUTURE, BUT THE ISSUE ILLUSTRATES BOTH
THE PUBLIC INTEREST IN LEGAL REFORMS AND THE GOVERNMENT'S
OFFICIAL COMMITMENT TO THE RULE OF LAW.

MASTERS

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INDEPENDENCE, GOVERNMENT REFORM, COURTS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 jun 1978
Decapton Date: 01 jan 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978JAKART08373
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780259-1121
Format: TEL
From: JAKARTA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780631/aaaabawq.tel
Line Count: 71
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b29dbf83-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 30 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2251040
Secure: OPEN
Status: NATIVE
Subject: SUHARTO SUPPORTS JUDICIARY INDEPENDENCE
TAGS: PINT, SHUM, ID
To: STATE
Type: TE
vdkgvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/b29dbf83-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014